

**CORRECTED****ASSIGNED**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 10 2004  
Returned to applicant for correction JUL 20 2004  
Corrected application filed AUG 04 2004  
Map filed Jul 22 2004 under 71479

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The applicant **MARLON H. THOMPSON** hereby makes application for permission to change the  
**Point of diversion Place of use of a portion** of water heretofore appropriated under Permit 58321.

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1. The source of water is **UNDERGROUND**
2. The amount of water to be changed **0.0046 CFS**
3. The water to be used for **MINING & MILLING**
4. The water heretofore permitted for **MINING & MILLING**
5. The water is to be diverted at the following point **SW¼ NE¼ SECTION 30, T.33N., R.37E.,  
M.D.B.&M. OR AT A POINT FROM WHICH THE W¼ CORNER OF SAID SECTION 30  
BEARS S. 82°09'05"W., 3458.27 FEET.**
6. The existing permitted point of diversion is located within **SW¼ SW¼ OF SECTION 34,  
T.33N., R.36E., M.D.B.&M. OR AT A POINT FROM WHICH THE NW CORNER OF  
SAID SECTION 34 BEARS N. 7°12'W., 5271.2 FEET.**
7. Proposed place of use **N½ N½ SECTION 4, T.32N., R.36E., M.D.B.&M.; N½ SE¼, NE¼  
SW¼, SW¼ SW¼ OF SECTION 34; ALL OF SECTION 35; N½ N½ OF SECTION 36, S½  
S½ OF SECTION 25 ALL WITHIN T.33N., R.36E., M.D.B.&M.; NW¼ AND THE SW¼  
NE¼ OF SECTION 30, T.33N., R.37E., M.D.B.&M.**
8. Existing place of use **LOTS 1, 2, 3, & 4 SECTION 4, T.32N., R.36E., M.D.B.&M.; N½ SE¼,  
NE¼ SW¼, SW¼ SW¼ OF SECTION 34; ALL OF SECTION 35, N½ N½ OF SECTION 36,  
S½ S½ OF SECTION 25, ALL IN T.33N., R.36E., M.D.B.&M.; NW¼ OF SECTION 30,  
T.33N., R.37E., M.D.B.&M.**
9. Use will be from **JAN. 1** to **DEC. 31** of each year.
10. Use was permitted from **JAN. 1** to **DEC. 31** of each year.
11. Description of proposed works **WATER IS DIVERT FROM MINE SHAFT VIA PUMP &  
2" WATER LINE TO 50,000 GALLON TANK.**
12. Estimated cost of works **\$15,000**
13. Estimated time required to construct works **WORKS ARE COMPLETE.**
14. Estimated time required to complete the application of water to beneficial use **1 YEAR**

15. Remarks: **WATER TO BE USED FOR SPRINKLERS ON SPRAY BARS. DAILY USEAGE WILL BE 3000 GALLONS. ANNUAL USEAGE WILL BE 1,095,000 GALLONS.**

By **CHARLES C. ARMUTH, JR.**  
s/ **Charles C. Armuth, Jr. AGENT**  
**421 RAILROAD ST**  
**ELKO, NV 89801**

Compared sg/ sc

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 58321, Certificate 15597 is issued subject to the terms and conditions imposed in said Permit 58321, Certificate 15597 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0046 cubic feet per second, 3.36 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

April 15, 2007

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

April 15, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2<sup>nd</sup> day of November, A.D. 2008

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

See Corrected

**ASSIGNED** No. 71309

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s/ Charles C. Armuth, Jr. AGENT  
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Compared sg/sc \_\_\_\_\_ ag/hk \_\_\_\_\_

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(CONTINUED ON PAGE 3)

## (PERMIT TERMS CONTINUED)

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Work must be prosecuted with reasonable diligence and be completed on or before:

March 15, 2007

Proof of completion of work shall be filed on or before:

April 15, 2007

Water must be placed to beneficial use on or before:

March 15, 2009

Proof of the application of water to beneficial use shall be filed on or before:

April 15, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15<sup>th</sup> day of March, A.D. 2006

  
State Engineer

Completion of work filed FEB 28 2007

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_ N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_